

1 SPENCER HOSIE (CA Bar No. 101777)
shosie@hosielaw.com
2 BRUCE WECKER (CA Bar No. 078530)
bwecker@hosielaw.com
3 GEORGE F. BISHOP (CA Bar No. 89205)
gbishop@hosielaw.com
4 HOSIE RICE LLP
188 The Embarcadero, Suite 750
5 San Francisco, CA 94105
6 (415) 247-6000 Tel.
(415) 247-6001 Fax
7

Attorneys for Plaintiff
8 *IMPLICIT NETWORKS, INC.*

9
10 UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 IMPLICIT NETWORKS, INC.,

13 Plaintiff,

14 v.

15 SYBASE, INC., and
MICROSOFT CORPORATION,

16 Defendants.
17

Case No. C 09-1478 SI

**STIPULATED MOTION FOR
DISMISSAL WITH PREJUDICE OF
CLAIMS AND COUNTERCLAIMS
BY IMPLICIT NETWORKS, INC.
AND MICROSOFT CORPORATION,
AND [PROPOSED] ORDER**

1 Plaintiff Implicit Networks, Inc. ("Implicit") and Defendant Microsoft Corporation
2 ("Microsoft"), pursuant to Rule 41(A)(2) of the Federal Rules of Civil, hereby stipulate and
3 move for an order dismissing WITH PREJUDICE and in their entirety (1) all claims or
4 counterclaims brought by Implicit against Microsoft and (2) all claims or counterclaims
5 brought by Microsoft against Implicit, with each party to bear its own costs, expenses and
6 attorneys' fees.

7 Dated: April 2, 2010

HOSIE RICE LLP

9 /s/ Spencer Hosie

SPENCER HOSIE

10 *Attorneys for Plaintiff*

11 *IMPLICIT NETWORKS, INC.*

12 Dated: April 2, 2010

K&L GATES LLP

13 /s/ Michael J. Bettinger

14 MICHAEL J. BETTINGER

15 *Attorney for Defendant*

16 *MICROSOFT CORPORATION*

17
18 I hereby attest pursuant to General Order 45.X.B. that concurrence in the electronic
19 filing of this document has been obtained from the other signatories.

20 DATED: April 2, 2010

21
22 /s/ Spencer Hosie

23 Spencer Hosie

1 **IT IS SO ORDERED.**

2 DATED this ____ day of April, 2010.

3 

4 HONORABLE SUSAN ILLTSTON
5 UNITED STATES DISTRICT JUDGE
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28